

TOWN OF DAVIE

TOWN COUNCIL AGENDA REPORT

TO: Mayor and Councilmembers

FROM/PHONE: Mark Kutney, AICP, Development Services Director/(954) 797-1101
Prepared by Todd Vargo, Planner I

SUBJECT: Resolution
DG 9-1-02 Nova Plat No. 2, 2900 Davie Road/Generally located south of
SR 84, east of Davie Road and east of Nova Drive.

AFFECTED DISTRICT: District 1

TITLE OF AGENDA ITEM:

A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING A REVISION TO THE RESTRICTIVE NOTE OF THE "NOVA PLAT NO. 2" PLAT, AND PROVIDING AN EFFECTIVE DATE.

REPORT IN BRIEF: Petitioner is requesting to amend the restrictive note on a portion of "Nova Plat No. 2" from "3,761 square feet of proposed commercial use on Parcel A2;" to "12,139 square feet of proposed office use on Parcel A2".

Staff finds that the proposed amendment is consistent with the existing and proposed use of the subject site and has no objection to the request.

PREVIOUS ACTIONS: None

CONCURRENCES: None

FISCAL IMPACT: None

RECOMMENDATION: Staff finds the subject application complete and suitable for transmittal to Town Council for further consideration.

Attachments: Resolution, Planning Report, Plat, Existing Future Land Use Map, Subject Site and Aerial Map

RESOLUTION _____

A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING A REVISION TO THE RESTRICTIVE NOTE OF THE "NOVA PLAT NO. 2", AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the boundary plat known as Nova Plat No. 2 was approved by the Town Council of the Town of Davie on November 7, 2001; and

WHEREAS, the owners desire to revise the restrictive note associated with said plat; and

WHEREAS, Broward County requires that the Town of Davie concur with this revision prior to a review of the proposed by Broward County Commission.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF DAVIE, FLORIDA.

SECTION 1. The Town Council of the Town of Davie does hereby approve of the proposed revision to the restrictive note shown on the Nova Plat No. 2. The proposed revision being specifically described on the planning report attached hereto as Exhibit "A".

SECTION 2. This resolution shall take effect immediately upon its passage and adoption.

PASSED AND ADOPTED THIS _____ DAY OF _____, 2002.

MAYOR/COUNCILMEMBER

ATTEST:

TOWN CLERK

APPROVED THIS _____ DAY OF _____, 2002.

Application #: DG 9-1-02/Nova Plat No. 2
Exhibit "A"

Revisions:
Original Report Date: 10/8/2002

TOWN OF DAVIE
Development Services Department
Planning & Zoning Division Staff
Report and Recommendation

APPLICANT INFORMATION

Owner:

Name: Charlie Johnson

Address: 1521 SW 120 Terrace

City: Davie, FL 33325

Phone: (954) 474-5474

Agent:

Name: Craven Thompson and
Associates, Inc.

Address: 3563 NW 53 Street

City: Fort Lauderdale, FL 33309

Phone: (954) 739-2002

BACKGROUND INFORMATION

Application History: No deferrals have been requested.

Application Request: Petitioner is requesting to amend the current plat note restriction on the "Nova Plat No. 2" from "3,761 square feet of proposed commercial use on Parcel A2" to "12,139 square feet of proposed office use on Parcel A2".

Address/Location: 2900 Davie Road/Generally located south of SR 84, east of Davie Road, and east of Nova Drive.

Future Land Use Plan Designation: Regional Activity Center

Zoning: B-2, Community Business District, RM-25, Multi-family District (County), RM-16, Medium-High Density Dwelling District

Existing Use: Parcel A2 is currently vacant.

Proposed Use: 12,139 square feet of proposed office use (Parcel A2)

Parcel Size: 47.949 acres (2,088,676 square feet); Parcel A2 is 0.95 acres (41,370 square feet)

	<u>Surrounding Uses:</u>	<u>Surrounding Land Use Plan Designation:</u>
North:	Hess, Lake	Regional Activity Center
South:	Mobile Home Park (Silver Oaks)	Regional Activity Center
East:	Mobile Home Park (Everglades MHP)	Regional Activity Center
West:	School (South Florida Education Center)	Regional Activity Center

	<u>Surrounding Zoning:</u>
North:	M-4, Heavy Industrial District (County)
South:	T-1, Trailer Park (County)
East:	T-1, Trailer Park (County), A-3, Utility District (County)
West:	CF, Community Facilities District

ZONING HISTORY

Related Zoning History: The rezoning, from A-3, Utilities (County) to RM-16, Medium-High Density Dwelling District, was approved on April 21, 1999.

Previous Request on same property: Town Council approved the plat, P 5-2-90 Nova Plat (151-42), on September 5, 1990.

Town Council approved the site plan, SP 2-4-94 Palm Trace, on April 20, 1994.

Town Council approved the site plan, SP 10-1-97 Eckerd's, on August 5, 1999.

The plat, P 3-1-02 Nova Plat No.2, was approved by Town Council on November 7, 2001. Broward County issued the plat report on May 18, 2001.

Town Council approved the site plan, SP 4-2-02 Palm Trace Landing Phase III, on August 7, 2002.

APPLICATION DETAILS

Petitioner is requesting to amend the restrictive note on the "Nova Plat No. 2" to reflect the proposed level of development.

The current plat restriction for Parcel A2 is 3,761 square feet of proposed commercial use on Parcel A2.

The proposed plat restriction for Parcel A2 is 12,139 square feet of proposed office use on Parcel A2.

Applicable Codes and Ordinances

Stipulated settlement agreement between the Hamilton M. and Blanche C. Forman Christian Foundation and various other Plaintiffs and the Town of Davie, entered into on November 12, 1985, Broward County Circuit Court Case No. 85-003046-CT.

The effective code of ordinances governing this project is the Town of Davie Land Development Code.

Significant Development Review Agency Comments

Broward County Development Management Division is the County lead agency in assessing the impact of development through the plat and/or delegation request process. Broward County requires that the petitioner request to amend or revise the level of approved development on the plat. Such requests must be approved by the local municipality and County Commission, and then subsequently recorded against the plat. As part of the delegation request process, the property would be reviewed for traffic concurrency and assessed any additional traffic impact fees, or mitigation measures, as applicable.

Comprehensive Plan Considerations

This parcel is inside the Regional Activity Center Future Land Use Plan designation that was adopted by Town Council in 1998.

Planning Area: The subject property falls within Planning Area 8. This Planning Area is the heart of Davie and is the most diverse, characterized by older, small-scale commercial development, older single-family residential neighborhoods, and newer, large-scale multi-family residential developments that serve the rapidly growing South Florida Education Center (SFEC). It is bounded on the north by Nova Drive, south by Orange Drive, east by Florida's Turnpike, and west by University Drive. The planning area encompasses the downtown Davie Business District, where western theme architecture is required, the Davie Town Hall and Rodeo Arena, two large mobile home communities, and industrial land.

Broward County Land Use Plan: The subject site falls within Flexibility Zone 97. Approval of the plat shall be subject to sufficient capacity of the regional road network as determined by Broward County. In the event that sufficient capacity is not met, the plat shall be deemed denied by the Town of Davie.

Broward County Land Development Code: The Broward County Land Development Code requires that any changes or waivers to requirements of development permit applications be reviewed and approved or disapproved by the municipality with final approval by Broward County Commission.

Applicable Goals, Objectives & Policies: The proposed plat is generally consistent with the goals, objectives and policies of the Comprehensive Plan.

Staff Analysis/Findings of Fact

The proposed amendment is consistent with the existing and proposed use of the subject site. The change in the restrictive note does not increase or decrease the number of traffic trips for the parcel. The change of plat restriction note for Parcel A2 is consistent with a site plan for Parcel A2 currently under review by the Town. Staff has no objection to the request.

Staff notes the request is for a portion of the Nova Plat No. 2. The remainder of the parcel consists of: 11,900 square feet of commercial use on Parcel A (1.438 acres or 62,655 square feet), 472 garden apartments (a total of 746 have been proposed) on Parcel B (42.457 acres or 1,849,434 square feet), and 6,391 square feet of office use on Parcel C (3.104 acres or 135,217 square feet).

Staff Recommendation

Recommendation: Staff finds the subject application complete and suitable for transmittal to Town Council for further consideration.

Exhibits

1. Justification letter
2. Plat
3. Future Land Use Map
4. Subject Site, Zoning and Aerial Map

Prepared by: _____

Reviewed by:

September 23, 2002

Mr. Brad Swing Planner
Development Services Department
Town of Davie
6591 Orange Drive
Davie, FL 33314-3399

Re: **Nova Plat No. 2**
Delegation Request to Amend Plat Restriction Note
Parcel A2
CTA Project No. 94-0001.101(L98)

CRAYEN THOMPSON



& ASSOCIATES INC.

Engineers
Planners
Surveyors

Dear Brad:

We have prepared the Broward County Delegation Request Application to amend the plat restriction note for Parcel A2, copy attached. We are requesting a "No Objection Letter" from the Town of Davie for a change of use to Parcel A2. The current plat restriction for Parcel A2 is "**3,761 square feet of proposed commercial use on Parcel A2**". We are requesting that the restriction to be revised as follow "**12,139 square feet of proposed office use on Parcel A2**". The change in the restriction note does not increase or decrease the number of traffic trips for the parcel. The change of plat restriction note for Parcel A2 is in connection with a site plan for Parcel A2 that is currently under review by the Town for an office use- (Office Building for Easter Inc.).

Also attached are the following items you requested:

1. One review fee check for \$195.00 (check No. 11730)
2. 3 sets of the plat (24" x 36" & 11" x 17")

Please do not hesitate to call me at (954) 739-2002, ext.202, if you have any questions on our request or need anything else.

Sincerely,
Crayen Thompson Associates, Inc.

Edward P. Ploski, AICP
Senior Planner

Enclosure
cc: Charlie Johnson

3563 N.W. 53rd Street
Fort Lauderdale, FL 33309-6311
(954) 739-6400
Fax (954) 739-6409

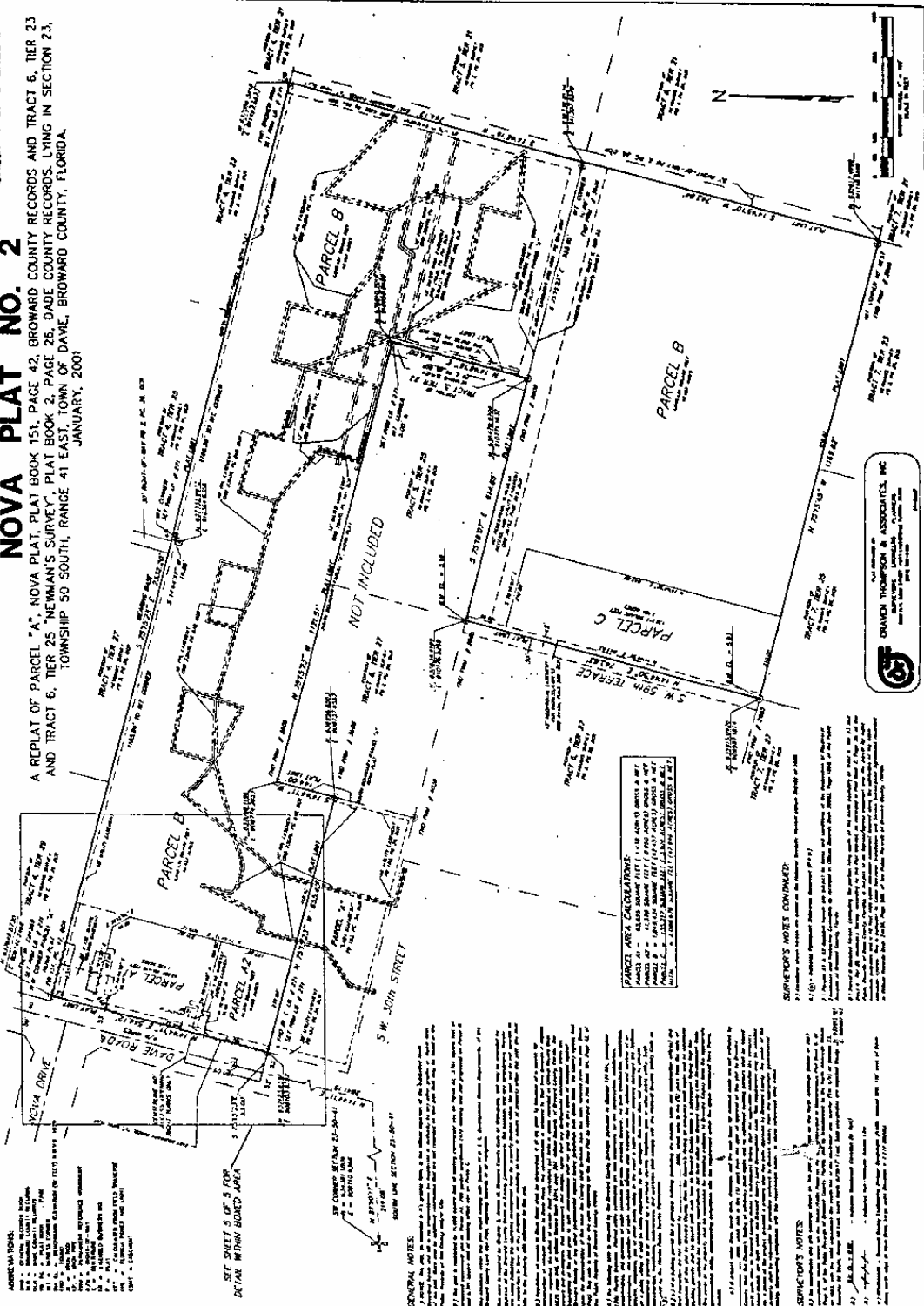
West Palm Beach

SEP 23 2002

CRANCH THOMPSON & ASSOCIATES, INC.
A Division of
CRANCH COMPANY

NOVA PLAT NO. 2

A REPLAT OF PARCEL "A", NOVA PLAT, PLAT BOOK 151, PAGE 42, BROWARD COUNTY RECORDS AND TRACT 6, TIER 23 AND TRACT 6, TIER 25 "NEWMAN'S SURVEY", PLAT BOOK 2, PAGE 26, DADE COUNTY RECORDS, LYING IN SECTION 23, TOWNSHIP 50 SOUTH, RANGE 41 EAST, TOWN OF DAVAL, BROWARD COUNTY, FLORIDA.
JANUARY, 2001



ABBREVIATIONS:
 B.M. = BENCH MARK
 C.O. = CORNER OF LOT
 E.A. = EAST ALLEY
 F.S. = FUTURE STREET
 G.S. = GROUND SURFACE
 H.S. = HIGHWAY
 I.S. = INTERSECTION
 L.S. = LOT SURFACE
 M.S. = MAIN STREET
 N.S. = NORTH STREET
 P.S. = PUBLIC STREET
 R.S. = RIGHT OF WAY
 S.S. = SOUTH STREET
 T.S. = TOWN STREET
 W.S. = WEST STREET
 Y.S. = YARD SURFACE
 Z.S. = ZONED SURFACE

SEE SHEET 3 OF 5 FOR
DETAIL WITHIN BOUND AREA

GENERAL NOTES

1. The area shown on this plat is a portion of the land shown on the previous plat.
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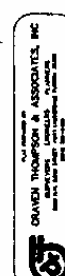
PARCEL AREA CALCULATIONS:
 PARCEL A = 11.100 ACRES (11.100 ACRES) 11.100 ACRES
 PARCEL B = 11.100 ACRES (11.100 ACRES) 11.100 ACRES
 PARCEL C = 11.100 ACRES (11.100 ACRES) 11.100 ACRES
 PARCEL D = 11.100 ACRES (11.100 ACRES) 11.100 ACRES

SURVEYOR'S NOTES CONTINUED

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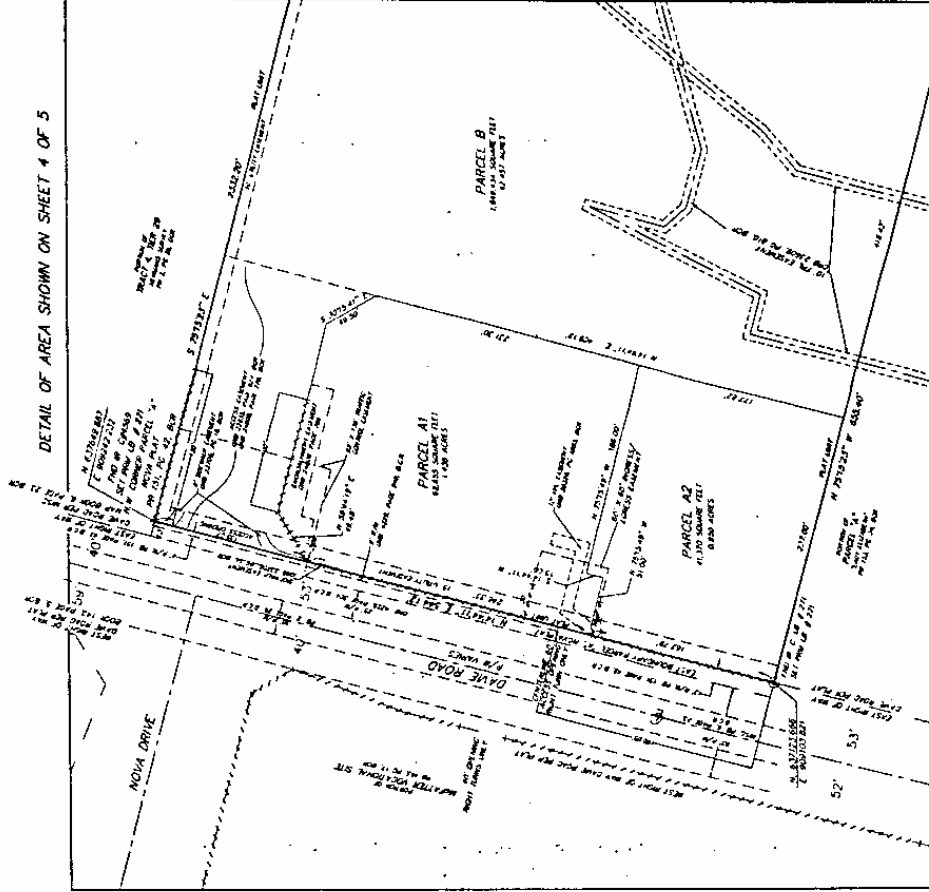


NOVA PLAT NO. 2

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DETAIL OF AREA SHOWN ON SHEET 4 OF 5



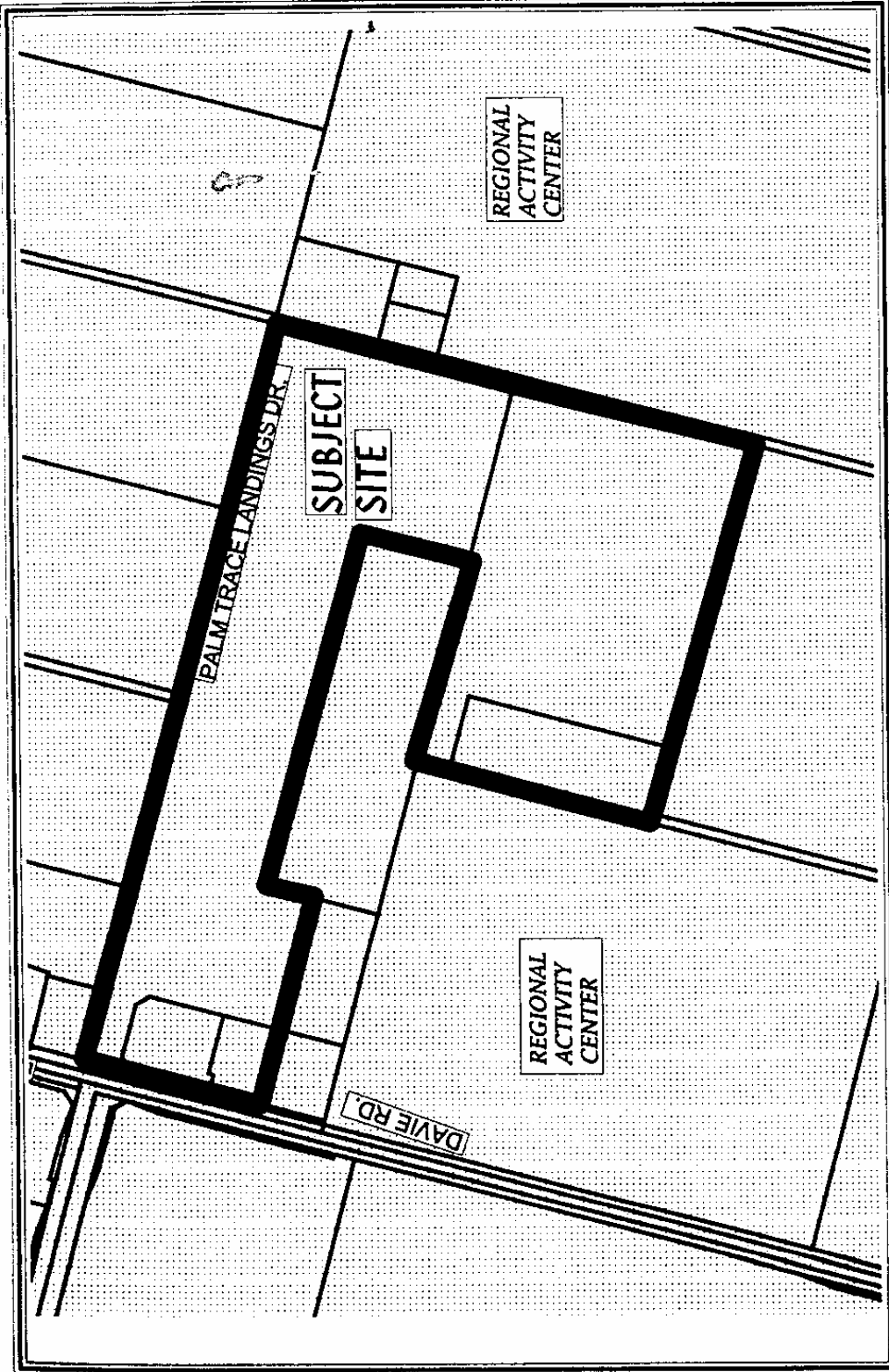
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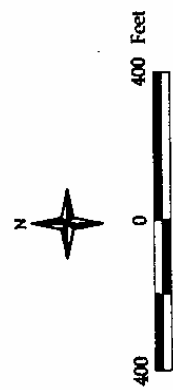
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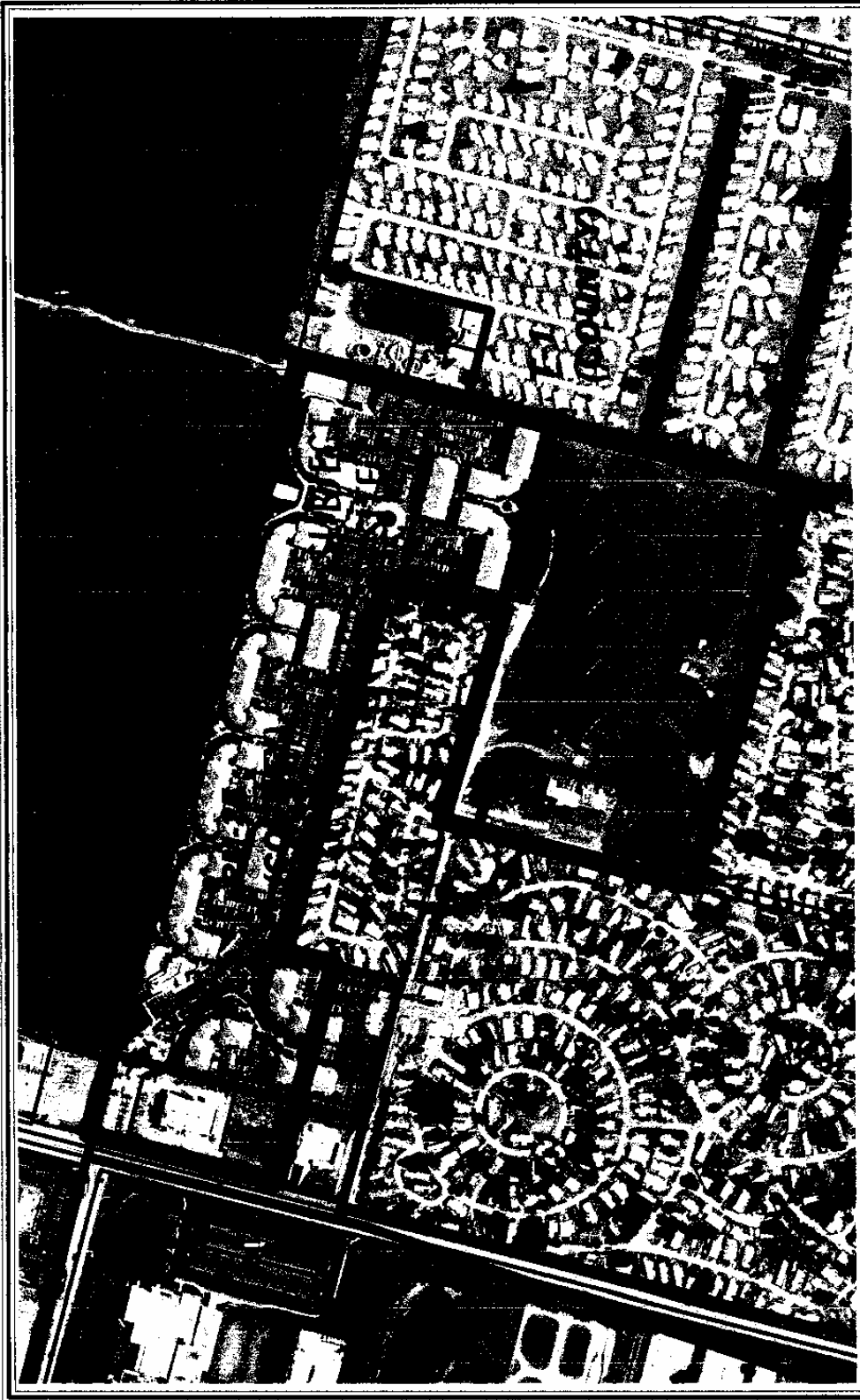
027-MP-01



Delegation Request
DG 9-1-02
Existing Future Land Use Map



Planning & Zoning Division - GIS



400 0 400 Feet

Planning & Zoning Division - GIS

Delegation Request

DG 9-1-02

Subject Site and Aerial Map

Date Flown: 12/31/01